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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,746	04/30/2001	Tamotsu Senda	2001_0534A	9145

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EXAMINER

LETT, THOMAS J

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 11/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,746

Applicant(s)

SENDA, TAMOTSU

Examiner

Thomas J. Lett

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Arguments

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 5, 6, 9, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Ono et al (JP409116709A).

With respect to claim 5, Ono et al disclose a handy scanner (image reading device, see Fig. 1) comprising:

a handy scanner body (image pickup section case 6) including a read section (CCD 3) on a bottom surface thereof;

a relay box (case 12) having a recess (plate 14a) for receiving said handy scanner body (image pickup section 6) so as to protect said bottom surface of said handy scanner body, said relay box being operable to relay signals (using control unit 15c, memory 15b, A/D converter 15a) between said handy scanner body and a device (via interface 15e and cable 11);

a first cord (cable 5) for connecting said handy scanner body (image pickup section 6) to said relay box (case 12);

a terminal (interface 15e) for establishing an electrical connection with the device; and

a second cord (cable 11) for connecting said relay box (case 12) to said terminal (interface 15e).

With respect to claim 6, Ono et al disclose a handy scanner of claim 5, wherein said recess is formed in a top surface of said relay box, and said recess and said handy scanner body are shaped and arranged so that said relay box (case 12) receives said handy scanner body (image pickup section case 6) such that said bottom surface of said handy scanner body faces a bottom surface of said recess (see Fig. 1).

With respect to claim 9, Ono et al disclose a handy scanner of claim 5, wherein said relay box includes a fastener for fixing (heights 14b for positioning the image reading device 6 of Fig. 1) said handy scanner body (image pickup section case 6) within said recess.

With respect to claim 10, Ono et al disclose a handy scanner of claim 9, wherein said recess is formed in a top surface of said relay box, and said recess and said handy scanner body are shaped and arranged so that said relay box receives said handy scanner body such that said bottom surface of said handy scanner body (image pickup section case 6) faces a bottom surface of said recess (see Fig. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2626

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al (JP409116709A) in view of Tsai et al (USPN 6,084,691).

With respect to claim 7, Ono et al does not disclose a handy scanner of claim 5, wherein said relay box includes an interfering electromagnetic wave reduction noise filter although Ono et al does disclose a turnable filter 16a. Tsai et al discloses a scanner that is integrated into a computer (relay box) and has a housing to reduce electromagnetic interference to the scanning engine, col. 3, lines 60-66 and see Fig. 2A). Ono et al and Tsai et al are analogous art because they are from the similar problem solving area of noise reduction. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to add the noise-reduction housing feature of Tsai et al to the case 12 of Ono et al in order to obtain case with a filter to restrict unwanted noise. The motivation for doing so would be to obtain a clean and undistorted image signal.

4. Claims 8 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al (JP409116709A) in view of well-known prior art.

With respect to claim 8, Ono et al does not disclose a handy scanner of claim 5, wherein said relay box including said interfering electromagnetic wave reduction noise filter has a one-piece construction. Examiner notes that it was well-known in the art to add suppression filters to reduce EM interference. In addition, a filter of one-piece construction was well-known in the art. The motivation to construct the filter in this

Art Unit: 2626

fashion would allow for a smaller circuit footprint in order to save space and for simple circuit construction.

With respect to claim 11, Ono et al does not disclose a handy scanner of claim 5, wherein said first cord is detachably connected to each of said handy scanner body and said relay box. Although Ono et al does not disclose a detachable cord or cable, it was well-known in the art to use detachable cabling for electrical devices. The motivation would be to interface with USB compliant devices or to increase the transfer speed of data.

With respect to claim 12, Ono et al does not disclose a handy scanner of claim 5, wherein said terminal comprises a USB jack connected to said second cord. Although Ono et al does not disclose a USB connection jack, it was well-known in the art to use USB interfaces for electrical devices. The motivation would be to quickly interchange a defective subassembly or interface with another device.

With respect to claim 13, Ono et al does not disclose a handy scanner of claim 5, wherein said bottom surface of said handy scanner body (image pickup section case 6) comprises transparent glass. Examiner notes that Ono et al does disclose the use of a transparent acrylic board 14c. Although Ono et al choose to use an acrylic plate, it was well-known in the art to use plate glass as an alternative plate.

With respect to claim 14, Ono et al disclose a handy scanner of claim 13, wherein said recess is formed in a top surface of said relay box, and said recess and said handy scanner body (image pickup section case 6) are shaped and arranged so that said relay box receives said handy scanner body such that said transparent glass (transparent

Art Unit: 2626

acrylic board, see Examiner note with respect to claim 13) of said bottom surface of said handy scanner body faces a bottom surface of said recess (see Fig. 1).

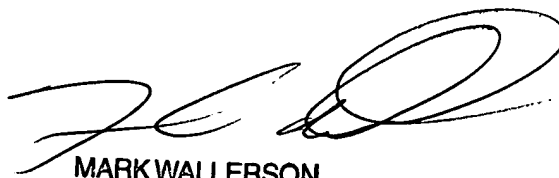
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is (571) 272-7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on (571) 272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJL



MARK WALLERSON
PRIMARY EXAMINER